IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 25TH AUGUST 2006 / 3RD BHADRA 1928

Bail Appl..No. 5224 of 2006

CMP.6117/2006 of J.M.F.C.-II,KOTTARAKKARA
CRIME NO. 65/2006 OF CHADAYAMANGALAM EXCISE RANGE

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PETITIONER/ACCUSED

SIVAN, S/O.GOPALAKRISHNAN,
VIBIN BHAVANAM VEEDU, CHERUVAKKAL KOPPARA DESOM,
ELAMADU VILLAGE, KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE EXCISE INSPECTOR, CHADAYAMANGALAM EXCISE
RANGE, KOLLAM DISTRICT THROUGH THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5224/2006

DATED THIS THE 25TH DAY OF AUGUST, 2006

O R D E R

The petitioner remains in judicial custody from 4.8.2006, as he is accused of the offence punishable under Section 8(1) & (2) of the Abkari Act. It is alleged that on 19.7.2006, the petitioner was found in illegal possession of three liters of illicit arrack, and therefore, C.R.No.65/2006 of Chadayamangalam Excise Range was registered against him. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering the materials on record, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-II, Kottarakkara.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Thursday, between 10.00 a.m and 11.00 a.m., for a period of one month, starting from 31.8.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs